

notice, whichever occurs first. All such comments shall be filed with the Office

of Hearings and Appeals, Department of Energy, Washington, D.C. 20585.

Dated: August 18, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of May 29 through June 2, 1995]

Date	Name and location of applicant	Case No.	Type of submission
5/30/95	Buckley & Co., Inc., Philadelphia, Pennsylvania.	RR321-182	Request for Modification/Rescission in the Texaco Refund Proceeding. IF GRANTED: The May 18, 1995 Dismissal Case No. RF321-20321 issued to Buckley & Co., Inc. would be modified regarding the firm's application for refund submitted in the Texaco Refund Proceeding.
5/30/95	Wilbert L. Townsend, Las Vegas, Nevada	VFA-0044	Appeal of an Information Request Denial. IF GRANTED: The May 9, 1995 Freedom of Information Request Denial issued by the Department of Energy, Nevada Operations Office would be rescinded, and Wilbert L. Townsend would receive access to use certain Department of Energy information.
5/31/95	Richland Operations Office, Richland, Washington.	VSO-0037	Request for Hearing under 10 C.F.R. Part 710. IF GRANTED: An individual employed at Richland Operations Office would receive a hearing under 10 C.F.R. Part 710.
6/2/95	A. Victorian, Nottingham, England	VFA-0045	Appeal of an Information Request Denial. IF GRANTED: A. Victorian would receive a waiver of all fees incurred in the processing of his Freedom of Information Request for certain DOE information.
6/2/95	Richard W. Miller, Kansas City, Missouri .	VFA-0046	Appeal of an Information Request Denial. IF GRANTED: The May 5, 1995 Freedom of Information Request Denial issued by the Strategic Petroleum Reserve Project Management Office would be rescinded, and Richard W. Miller would receive access to draft memoranda, internal memoranda, government cost estimates, price negotiation memoranda, job diaries and drafts of specifications.

Date received	Name of refund proceeding/name of refund applicant	Case No.
5/20/95 thru 6/2/95	Supplemental Crude Refunds	RF272-191 thru RF272-203
5/29/95 thru 6/2/95	Crude Oil Refund Applications	RG272-272 thru RG272-295
5/30/95	Western Slope Refining Co.	RF345-39
5/31/95	Mid States Equipment Co.	RF300-21830
5/31/95	Robert E. Boyer	RF321-21071

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5285-7]

Agency Information Collection Activities up for Renewal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) listed below is coming up for renewal. Before submitting the renewal package to the Office of Management and Budget (OMB), EPA is soliciting comments on

specific aspects of the collection as described below.

DATES: Comments must be submitted on or before October 24, 1995.

ADDRESSES: Office of Radiation and Indoor Air, Criteria & Standards Division, Environmental Protection Agency, 6602J, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Dale Hoffmeyer, telephone: (202)233-9228, fax: (202) 233-9629, E-mail: hoffmeyer.dale@epamail.epa.gov

SUPPLEMENTARY INFORMATION:

Affected Entities

Entities affected by this action are those which own or operate Department of Energy facilities, elemental phosphorus plants, Non-DOE federal facilities and NRC licensed facilities, phosphogypsum stacks, underground

uranium mines and uranium mill tailings piles.

Title

National Emission Standards for Hazardous Air Pollutants: Radionuclides, OMB No. 2060-0191, expires 1/31/96.

Abstract

Information is being collected pursuant to Federal regulation 40 CFR 61. The pertinent sections of the regulation for reporting and record keeping are listed below for each source category:

Department of Energy—Sections 61.93, 61.94, 61.95
Elemental Phosphorous—Section 61.123, 61.124, 61.126
Non-DOE federal facilities not licensed by NRC—Sections 61.103, 61.104, 61.105

*NRC Licensees—Section 61.103, 61.104, 61.105, 61.107
 Phosphogypsum Stacks—Sections 61.203, 61.206, 61.207, 61.208, 61.209
 Underground Uranium Mines—Sections 61.24, 61.25
 Uranium Mill Tailings Piles—Sections 61.253, 61.254, 61.255, 61.223, 61.224

*(EPA is proposing to rescind Subpart I of the radionuclide NESHAP as it applies to NRC-licensed facilities).

Data and information collected is used by EPA to ensure that public health continues to be protected from the hazards of airborne radionuclides by compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If the information were not collected, it is unlikely that violation of the standards would be identified and no corrective action would be initiated to bring the facilities back into compliance. Compliance is demonstrated through emission testing and/or dose calculation. Results are submitted to EPA annually for verification of compliance and maintained for a period of 5 years.

The EPA would like to solicit comments to:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (ii) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;
- (iii) Enhance the quality, utility, and clarity of the information to be collected; and
- (iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement

NRC Licensees and NON-DOE federal facilities—for facilities licensed by the NRC, emission testing is not required. Facilities may use written procedures or the COMPLY computer program for demonstrating compliance. These procedures and the COMPLY program were designed to reduce the burden on smaller facilities of determining compliance. The activities of the various respondents consist of reading and understanding the regulatory provisions and compliance procedures, identifying and listing input data, performing computer runs, preparing a report, and storing and maintaining data.

The estimated burden for each respondent is 23 hours per response.

This estimate is based on experience gained in preparing radionuclide NESHAP enforcement and compliance guidance material and in demonstrating the use of EPA's COMPLY computer program to the uninitiated. Estimates of burden and cost to NRC licensed facilities accruing from reporting and recordkeeping activity are calculated based on the assumption of 6000 facilities completing computer runs, filing a report (if required) and maintaining supporting records. In the past reporting periods, only 670 of the 6,000 facilities have reported under the regulation and many of these facilities were not required to report pursuant to the regulation.

The record keeping and reporting burden hours are 23 hours×6000 respondents=138,000 hours. However, we are proposing to rescind our standard covering these NRC-licensed facilities. After the rescission, Subpart I of the radionuclide NESHAP will apply only to non-DOE federal facilities not licensed by NRC.

Other 40 CFR 61 Facilities—In addition, the estimates of this ICR renewal also includes DOE facilities, elemental phosphorous plants, Non-DOE federal facilities not licensed by NRC, phosphogypsum stacks, underground uranium mines and uranium mill tailings piles. It is assumed that all facilities will perform emission testing in lieu of analytical analysis to estimate emissions. Whereas testing is more time consuming than analytic analysis, the ICR estimates represent a worst case scenario by a factor of about 20. Activities consist of reading and understanding the regulatory provisions and compliance procedures, preparing a test plan, performing testing, performing data analysis, preparing a report, and storing and maintaining data. Accordingly, it is estimated that the burden will not exceed 288 hours per response and more likely be in a 29 to 288 hour range.

Respondent	Number of facilities
Department of Energy	38
Elemental Phosphorous	5
Non-DOE not licensed by NRC	17
Phosphogypsum Stacks	41
Underground Uranium Mines	20
Uranium Mill Tailings Piles	100
Total	221

It is estimated that 221 facilities would be required to report emissions and/or effective dose equivalent annually and retain supporting records for five years. The total record keeping

and reporting burden hours is 288 hours×221 respondents=63,648 hours.

The total burden to respondents will be 138,000 hours detailed above and the additional 63,648 hours, together totaling 201,648 hours.

No person is required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are displayed in 40 CFR Part 9.

Send comments regarding these matters, or any other aspect of the information collection, including suggestions for reducing the burden, to the address listed above.

Dated: August 18, 1995.

Mary Clark,

Acting Director, Office of Radiation and Indoor Air.

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[ER-FRL-5228-2]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared July 10, 1995 through August 11, 1995 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 14, 1995 (60 FR 19047).

Draft EISs

ERP No. D-AFS-J65237-MT Rating EC2, Two Joe Timber Sales, Implementation, Lolo National Forest, Superior Ranger District, St. Regis River, Mineral County, MT.

Summary: EPA expressed environmental concerns regarding the potential for increased sediment transport and localized effects upon area bull trout populations. EPA suggested expanded commitment to water quality and aquatics monitoring, and the collection of additional information needed to fully assess and mitigate all potential impacts of the management actions.

ERP No. D-BLM-J02032-WY Rating EC2, Moxa Arch Area Natural Gas Development Expansion Project, Approvals, Right-of-Way Grants and COE Section 404 Permit(s) Issuance, Sweetwater, Lincoln and Unita Counties, WY.